



North Dakota Department of Transportation

Grant Levi, P.E.
Interim Director

Jack Dalrymple
Governor

February 4, 2013

Mr. Lynn Helms
NDIC Oil and Gas Division
600 East Boulevard Ave Dept 405
Bismarck, ND 58505-0840

Director Helms,

This is in response to your department's public hearing regarding changes to North Dakota Administrative Code Section 43-02-02-20. To avoid conflicts with future roadway work which may require additional state expenditures, consideration should be given to include the following in the Administrative Rules:

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1. No well (or subsurface mine) site may be placed within 400 feet of the centerline of any state highway, unless otherwise approved by the Director of the ~~North Dakota~~ Department of Transportation (NDDOT), or the Director's designee. ^(121.92 meters)
 2. If direct access from a state highway to a well (or subsurface mine) site is desired, the mineral resource permit applicant be required to obtain a driveway permit from the NDDOT district office, per NDDOT policies in force at the time of the request. ^{must}
_{as required by}

Please contact Steve Salwei at 701.328.3689, or me 701.328.2584, if you have any questions or concerns. Thank you for considering our request and we appreciate the working relationship we have with you and your team.

Sincerely,

Grant Levi

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Interim Director

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